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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 AAA, A MINOR, BY HER NEXT FRIEND  
11 AND PARENT, AMIR ABDUL-ALIM  
AND HAFSA ELARFAOUI, and on their  
own behalf,

12  
13 Plaintiffs,

14 v.

15 CLARK COUNTY SCHOOL DISTRICT,  
ET AL.

16 AND,

17 STATE OF NEVADA DEPARTMENT OF  
18 EDUCATION, ET AL.,

19 Defendants.

CASE NO.: 2:20-cv-00195-JAD-BNW

**DEFENDANT CLARK COUNTY  
SCHOOL DISTRICT'S MOTION FOR  
AN EXTENSION OF TIME TO FILE A  
RESPONSIVE PLEADING TO  
PLAINTIFFS' SECOND AMENDED  
CIVIL RIGHTS COMPLAINT  
[ECF NO. 420]**

**(FIRST REQUEST)**

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21 COMES NOW, Defendant Clark County School District (hereinafter referred to as  
22 "Defendant CCSD"), by and through its legal counsel, Phoebe V. Redmond, Assistant General  
23 Counsel, hereby submits this **DEFENDANT CLARK COUNTY SCHOOL DISTRICT'S**  
24 **MOTION FOR AN EXTENSION OF TIME TO FILE A RESPONSIVE PLEADING TO**  
**PLAINTIFFS' SECOND AMENDED CIVIL RIGHTS COMPLAINT [ECF NO. 420]**

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1 This Motion is based upon the pleadings on file herein, the attached Memorandum of Points  
2 and Authorities, and any oral argument the Court may permit at the hearing of this matter.

3 DATED this 27<sup>th</sup> day of April, 2021.

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5 CLARK COUNTY SCHOOL DISTRICT  
6 OFFICE OF THE GENERAL COUNSEL

7 By: /s/ Phoebe V. Redmond  
8 PHOEBE V. REDMOND, ESQ  
9 Nevada Bar #9657  
5100 West Sahara Avenue  
Las Vegas, NV 89146  
10 Attorney for Clark County School District, et al

11 **MEMORANDUM OF POINTS AND AUTHORITIES**

12 **I. INTRODUCTION**

13 Plaintiffs initiated this action in the Eighth Judicial District Court of Nevada on  
14 December 27, 2019. (ECF No. 1). This action was removed to the United States District Court  
15 for the District of Nevada on January 29, 2020. (ECF No. 4). On November 18, 2020, Plaintiffs  
16 filed a First Amended Complaint (ECF No. 255).<sup>1</sup> Plaintiff's Second Amended Complaint was  
17 filed April 13, 2021. Accordingly, the deadline for Defendant CCSD to file a responsive  
18 pleading to Plaintiffs' Complaint is April 27, 2021. For good cause, Defendant CCSD, through  
19 its counsel now respectfully requests that the Court extend the Defendant CCSD's deadline to  
20 respond to Plaintiffs' Second Amended Complaint up to and including Tuesday, May 11, 2021.  
21 This is due primarily to the number of issues and research required to be included in Defendant  
22 CCSD's responsive pleading. Since Plaintiffs' Second Amended Complaint was granted  
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26 <sup>1</sup> Defendant CCSD filed its Answer to Plaintiffs' First Amended Complaint on December 2,  
2020. (ECF No. 274).

1 Plaintiffs served each CCSD Defendant at their place of business, notwithstanding that as  
2 counsel of record I agreed to accept service for all CCSD Defendants. This manner of service  
3 greatly affected my clients which I was able to assuage on a one to one basis over the last week  
4 or so. In addition, I was required to review, respond and advise clients related to approximately  
5 nine filings with over 30 attendant exhibits submitted in this case since April 13, 2021. No  
6 amount of preplanning could have allowed me to prepare a response for Defendant CCSD by  
7 today's deadline. It is physically impossible to provide a competent responsive pleading as of  
8 today's date.  
9

## 10 **II. LEGAL ARGUMENT**

11 "When an act may or must be done within a specified time, the court may, for good cause,  
12 extend the time on motion made after the time has expired if the party fails to act because of  
13 excusable neglect." Fed. R. Civ. P. 6(b); *see also* LR IA 6-1. "The Court has inherent power and  
14 discretion to control its docket, and the proceedings within the cases on its docket." Rule 6(b)(1)  
15 allows for a party to move for an enlargement of time, the determination of which lies with the  
16 presiding court. "The Court has inherent power and discretion to control its docket, and the  
17 proceedings within the cases on its docket." *Ford v. County of Missoula, Mont.*, 2010 U.S. Dist. 22  
18 LEXIS 57511, 2010 WL 2674036, 1 (D. Mont., 2010) (*citing Landis v. North American Co.*, 299  
19 U.S. 248, 254, 57 S. Ct. 163, 81L.Ed.153 (1936); *see also*, Fed. R. Civ. P. 6(b) (advisory committee  
20 24 note, 1946) ("Rule 6(b) is a rule of general application giving wide discretion to the court to  
21 enlarge these limits or revive them after they have expired ... ").

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1    **III.    CONCLUSION**

2            Based upon the forgoing, it is respectfully request that Defendant CCSD be grant an  
3 extension of time up to and including Tuesday, May 11, 2021 to submit its responsive pleading to  
4 the Second Amended Complaint.

5            DATED this 27<sup>th</sup> day of April, 2021.

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7    **For good cause shown, IT IS**  
8    **ORDERED that ECF No. 436 is**  
9    **GRANTED.**

CLARK COUNTY SCHOOL DISTRICT  
OFFICE OF THE GENERAL COUNSEL

10    **IT IS SO ORDERED**

11    **DATED:** 1:56 pm, May 10, 2021

12    

13    **BRENDA WEKSLER**  
14    **UNITED STATES MAGISTRATE JUDGE**

By: /s/ Phoebe V. Redmond  
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*Attorney for Clark County School District, et al*

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*Plaintiffs in Proper Person*

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